

10/5/73

Executive Order

WHEREAS, it appears to my satisfaction that Mary Finney, Mayor of the Town of Liberty has been duly indicted by the Grand Jury for Embezzlement of Public Funds and Grand Larceny in violation of the laws of the State of South Carolina, and

WHEREAS, pursuant to the Constitution of the State of South Carolina, I, as Governor of South Carolina, by Executive Order of July 11, 1973, suspended Mary Finney as Mayor of the Town of Liberty, and

WHEREAS, it further appears that Mary Finney was convicted of Embezzlement of Public Funds by jury trial on September 27, 1973, and

WHEREAS, under the above cited circumstances, I as Governor of the State of South Carolina am exercising the duty vested in me by Section 8 of Article III of the Constitution of South Carolina, ratified the 13th day of March, 1973, to wit:

"Section 8. Whenever it appears to the satisfaction of the Governor that probable cause exists to charge any officer of the State or its political subdivisions who has the custody of public funds or trust funds with embezzlement or the appropriation of public or trust funds to private use, then the Governor shall direct his immediate prosecution by the proper officer, and upon indictment if permitted by law, the Governor shall suspend such office and appoint one in his stead, until he shall have been acquitted. In case of conviction, the position shall be declared vacant and the vacancy filled as may be provided by law."

WHEREAS, Section 47-203 of the South Carolina Code of Laws provides as follows:

"Section 47-203. In case a vacancy occurs in the office of mayor or alderman, an election to fill such vacancy shall be held in the same manner and after

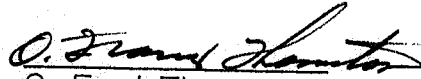
the same notice as provided in chapters 4 and 5 of this Title respectively. Should the vacancy occur within sixty days of the regular election it shall be left to the discretion of the council whether or not it shall order an election to fill the vacancy.

NOW THEREFORE IT IS HEREBY ORDERED AS FOLLOWS:

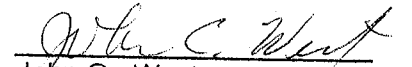
- (1) The Office of Mayor of the Town of Liberty is declared vacant;
- (2) The Town Council of the Town of Liberty is directed to hold a special election to fill said office pursuant to the above cited sections of the South Carolina Constitution and the Code of Laws of South Carolina.



ATTEST:


O. Frank Thornton
Secretary of State

Given under my hand and the Great Seal of the State of South Carolina at Columbia, South Carolina, this 5th day of October, 1973.


John C. West
Governor of South Carolina